United Nations S/PV.5619

Security Council

Sixty-second year

Provisional

5619th meeting

Friday, 12 January 2007, 4 p.m.
New York

President:	Mr. Churkin	(Russian Federation)
Members:	Belgium	Mr. Verbeke
	China	Mr. Wang Guangya
	Congo	Mr. Ikouebe
	France	Mr. Lacroix
	Ghana	Nana Effah-Apenteng
	Indonesia	Mr. Jenie
	Italy	Mr. Mantovani
	Panama	Mr. Arias
	Peru	Mr. Voto-Bernales
	Qatar	Mr. Al-Nasser
	Slovakia	Mr. Matulay
	South Africa	Mr. Kumalo
	United Kingdom of Great Britain and Northern Ireland	Sir Emyr Jones Parry
	United States of America	Mr. Wolff

Agenda

The situation in Myanmar

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-154A.

07-20880 (E)

The meeting was called to order at 4 p.m.

Adoption of the agenda

The agenda was adopted.

The situation in Myanmar

The President (*spoke in Russian*): I should like to inform the Council that I have received a letter from the representative of Myanmar in which he requests to be invited to participate in the consideration of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite that representative to participate in the consideration of the item, without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Kyaw Tint Swe (Myanmar) took a seat at the Council table.

The President (*spoke in Russian*): The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them document S/2007/14, which contains the text of a draft resolution submitted by the United Kingdom of Great Britain and Northern Ireland and the United States of America. I should like to draw attention to an oral addition to the fourth preambular paragraph in the revised version: after the word "UNAIDS", the words "United Nations Development Programme" should be added.

It is my understanding that the Council is ready to proceed to the vote on the draft resolution, as orally revised. Unless I hear any objection I shall put the draft resolution to the vote.

There being no objection, it is so decided.

I shall now give the floor to those members of the Council who wish to make statements before the voting.

Mr. Wang Guangya (China) (*spoke in Chinese*): China is firmly opposed to the adoption by the Security Council of the draft resolution on Myanmar. China engaged in extensive discussions and consultations with all Council members, especially the sponsor, in an effort to prevent a vote on it. Regrettably, our suggestions and goodwill failed to prevail. For China, this meeting is the least desirable option. Before the vote, therefore, China would like to reaffirm a number of principled positions.

First, like the rest of the international community, China sincerely hopes that Myanmar enjoys economic development, social harmony, the rule of law and inclusive democracy. That is in the interests of the people of Myanmar, of all countries in South-East Asia and of the entire international community. It cannot be denied that Myanmar is now facing many political, economic and social challenges and that some of its problems are quite serious. But no country is perfect and every country has to go through a process of constant improvement. China therefore supports continuing efforts on the part of the Myanmar Government and all parties in the country aimed at inclusive dialogue and national reconciliation.

So far, the international community, in particular the Association of Southeast Asian Nations (ASEAN), has made many constructive recommendations relating to Myanmar — recommendations that could serve as important guidelines for improving the situation in the country. China sincerely hopes and expects that the Myanmar Government will give due consideration to those recommendations, listen to the call of its own people, learn from the good practices of others and speed up the process of dialogue and reform, so as to achieve prosperity for its nation, bring benefits to its people and contribute to peace, stability and development in South-East Asia.

Secondly, China encourages and supports the Secretary-General's good offices under the mandate of the General Assembly. In recent years, there has, understandably, been growing interest on the part of the international community in Myanmar. China has always believed that the United Nations can play a constructive role in this regard. Thanks to the efforts made by various parties, Under-Secretary-General Gambari paid two visits to the country at Myanmar's sincere invitation. He had frank talks and consultations with Myanmar's leaders and achieved certain progress.

While the United Nations Secretariat is in a transitional period, China supports the appointment by the Secretary-General as soon as possible of a special representative for Myanmar. We are also looking

forward to another visit by Mr. Gambari, and hope that he will continue his dialogue with Myanmar and enhance mutual trust and confidence. As Mr. Gambari emphasized in his briefing to the Council last November, the Secretary-General's good offices are a process of dialogue and engagement, which needs time and patience.

China sincerely calls upon the international community and the Myanmar Government to sustain their current sound interaction, to constructively support the Secretary-General's good offices and to work together to gradually achieve long-term stability and development in Myanmar. The tenth ASEAN summit will be held soon. China will, as always, support ASEAN in playing a leading role in addressing the issue of Myanmar.

Thirdly, the Myanmar issue is mainly the internal affair of a sovereign State. The current domestic situation in Myanmar does not constitute a threat to international or regional peace and security. No one would dispute the fact that Myanmar is, indeed, faced with a series of grave challenges relating to refugees, child labour, HIV/AIDS, human rights and drugs. But similar problems exist in many other countries. If, because Myanmar is encountering this or that problem in the areas to which I referred, it is to be arbitrarily labelled as a prominent or potential threat to regional security, included on the agenda of the Council and be the subject of a draft resolution, then the situations in all other 191 United Nations Member States may also need to be considered by the Security Council. Such an approach is obviously neither logical nor reasonable.

As a matter of fact, all of Myanmar's immediate neighbours, all ASEAN members and most Asia-Pacific countries believe that the current situation in Myanmar does not pose a threat to regional peace and security. Since various relevant United Nations agencies have already held discussions on the Myanmar issue, and given that the primary responsibility entrusted by the United Nations Charter to the Security Council is to maintain world peace and security, China holds that there is no need for the Security Council to get involved. Nor should it take action on the issue of Myanmar. If it does so, it will not only exceed the mandates of the Council, but also hinder discussions by other relevant United Nations agencies, and bring no benefit to the Secretary-General's good offices.

It must be emphasized that China, as an immediate neighbour of Myanmar and a Security Council member from the Asia-Pacific region, attaches no less importance to the situation in Myanmar than do other States. Although Myanmar's domestic political process may not have achieved as many results as expected, progress is undeniably being made, slowly but steadily. As an old Chinese saying goes, one cannot enjoy eating hot bean curd if one is too anxious. While the intention of the international community is sincere and good, it has to be accompanied by practical and feasible ways and means, taking into account the national conditions of Myanmar. Otherwise, there would be unwanted or undesirable consequences. Moreover, if the situation in Myanmar becomes turbulent as a result of external interference, the primary victims will certainly be the people of Myanmar and neighbouring countries.

Therefore, China, together with other countries in the region, wishes to see Myanmar enjoy political stability, economic development and ethnic harmony. China has always adopted a responsible approach and has made vigourous efforts to encourage and facilitate the Myanmar Government to address its problems step by step. It is also our consistent position that the internal affairs of Myanmar should be handled mainly and independently by the Myanmar Government and people themselves through consultation. The international community can offer all kinds of constructive advice and assistance, but should refrain from arbitrary interference.

Based on the above principled position, China strongly opposes the inclusion of Myanmar on the agenda of the Council, and is firmly against adopting any Security Council resolution on Myanmar. China therefore cannot but vote against the draft resolution before us.

Mr. Kumalo (South Africa): I regret to inform the Council that South Africa will vote against the draft resolution on Myanmar. My Government decided on this action on the basis of the following three reasons. First, we believe that this draft resolution would compromise the good offices of the Secretary-General in dealing with sensitive matters of peace, security and human rights. Secondly, it deals with issues that would be best left to the Human Rights Council. The third and most fundamental reason for us is that this draft resolution does not fit with the Charter mandate conferred upon the Security Council, which is to deal with matters that are a threat to international peace and security.

Before elaborating on these three reasons, my delegation wishes to make it quite clear that we do not wish to question, to judge or to comment on the content of this draft resolution. For the record, I wish to reaffirm that my delegation is concerned about the situation in Myanmar.

When the General Assembly established the good offices mission of the Secretary-General, it was to make it possible for the United Nations to establish a channel for private and confidential communication. The commendable work done in Myanmar by Under-Secretary-General for Political Affairs Ibrahim Gambari has been made possible through the use of the good offices of the Secretary-General. This draft resolution, should it be adopted, may close forever the window of hope and communication opened by Mr. Gambari.

Furthermore, the draft resolution contains information that would be best left to the Human Rights Council. Ironically, should the Security Council adopt it, that would mean that the Human Rights Council would not be able to address the situation in Myanmar while the Council remains seized with the matter.

Finally, it is worth recalling that the Association of Southeast Asian Nations (ASEAN) has stated that Myanmar is not a threat to its neighbours. Just yesterday, on 11 January 2007, the ASEAN Ministers meeting in the Philippines reaffirmed that Myanmar is no threat to international peace and security.

For these reasons, South Africa cannot vote in favour of this draft resolution.

Mr. Jenie (Indonesia): We have before us a draft resolution on the situation in Myanmar, and we are called on to make a decision as to whether or not to adopt this text, which addresses vitally important issues but raises several basic questions.

The first question is one of both substance and procedure — the draft resolution touches on issues such as democratic transition, promotion and protection of human rights, and on social issues such as HIV/AIDS and trafficking in narcotics and people. However, these issues do not make Myanmar a threat to international peace and security. They inflict suffering on the people of Myanmar and create problems for its immediate neighbours, but they do not make the situation in Myanmar a clear and present danger to the rest of the world.

Hence, even if Myanmar is culpable of all these charges, that does not make the situation in that country a proper subject of a United Nations Security Council resolution, especially when compared to situations elsewhere. For there is no denying that there are situations in various other places that are much worse, where so many more people are dying through the direct use of armed force and therefore a much greater threat to world security. These situations should be given higher priority here in this Council. There are other bodies in the United Nations, such as the Human Rights Council, that are more appropriate venues for addressing the problem of Myanmar.

The other basic question is whether the proposed draft resolution is likely to be effective in achieving its goal. No doubt it is directed at very important goals, namely, the restoration of democratic institutions and practices in Myanmar, the achievement of justice for the victims of human rights violations and the attainment of national reconciliation so that Myanmar can move forward as a member of the world community in good standing. Indonesia and all its fellow members of Myanmar in the Association of Southeast Asian Nations (ASEAN) share these goals.

But we must pause to think whether the proposed draft resolution would help to achieve that goal. There have been Security Council resolutions that did not achieve their objectives. Before adopting this draft resolution, let us be sure that it is going to be effective.

Indonesia, as a member of ASEAN and on a bilateral basis, has done its best to persuade Myanmar to show concrete and tangible progress towards restoring democracy and human rights. In the context of ASEAN, we have engaged Myanmar on this issue, not on a "you-and-I" basis, but on the basis of "us", as a regional organization in the process of transforming itself into a security community, bound together by shared values, including, and especially, the values of democracy and respect for human rights and fundamental freedoms.

We have tried to help Myanmar within the context of the ASEAN family. We have persevered in engaging Myanmar and in encouraging it to restore democracy and demonstrate its respect for human rights, for if there were progress on the ground, we could be of greater help to Myanmar. But that is not the case.

As a member of ASEAN, as a neighbouring country and as member of this Council, Indonesia must now recognize that the issue of Myanmar is no longer

just a bilateral or a regional issue but an international one. It is not a question of solidarity or lack thereof. It is a question of principle. Myanmar must respond to the imperative of restoring democracy and respect for human rights. That is a matter of principle. It is not a matter of winning or losing in the voting on the Council. And it is a matter of principle that we consider whether a resolution by the Security Council will be effective in addressing the problem, or whether this Council is the appropriate body to address the problem of Myanmar.

That does not mean that we cannot act. The United Nations must address the problem of Myanmar, and so must the regional organization to which both Myanmar and Indonesia belong. This is best done through cooperation. The United Nations and regional organizations can work together to address the situation in Myanmar in accordance with the United Nations Charter.

Hence Indonesia supports the good offices of the Secretary-General on Myanmar and welcomes the recent visit of Professor Ibrahim Gambari to the country in the light of those good offices. In our view, the visits have injected new vigour into the efforts of the United Nations to assist Myanmar in its democratic transition. On our part, we will do everything in our power to work within the framework of cooperation between the United Nations and ASEAN to help bring about positive change in Myanmar.

In the light of the considerations which I have just mentioned, my delegation will abstain in the voting on this proposed draft resolution.

Mr. Al-Nasser (Qatar) *(spoke in Arabic)*: It is a well-known fact that the issues with which the Security Council deals vary in their nature and degree of sensitivity. Sometimes members of the Council can reach a consensus quickly; sometimes views diverge on other issues, such as the draft resolution before us now on the situation in Myanmar, which comes four months after the issue was first placed on the agenda of the Security Council following a procedural vote on 15 September 2006.

The position of Qatar is one of total respect for the Charter of the United Nations and for international law in a manner that promotes the maintenance of international peace and security and the finding of the best possible solutions to the problems that face Member States, with no interference in their internal affairs. That should be done, ideally, when a problem facing a given country has been properly diagnosed and therefore must be dealt with through the competent bodies of the United Nations.

The issue of Myanmar — a country that, we admit, is facing several internal problems — is indeed among the items that are being discussed by the United Nations and that, before their inclusion on the agenda of the Security Council, have been considered by the Third Committee, the Economic and Social Council and the Human Rights Council. My delegation strongly believes that we should continue assisting Myanmar through those competent organs so that it can overcome all of the internal problems facing it. We urge the Government of Myanmar to intensify its efforts to complete its march towards democracy and human rights.

At the same time, we should not ignore the views of neighbouring countries such as the countries of the Association of Southeast Asian Nations (ASEAN), the Asian Group, the Group of 77 and China, and the Non-Aligned Movement, which have clearly stated that the issue of Myanmar is an internal problem that does not pose any threat to international peace and security.

For our part, we note that it is an issue related to internal problems, most of which are of a humanitarian character. They are challenges that beset many other countries, and they differ only in degree, not in kind. We understand the efforts made by the sponsors of the draft resolution, which is aimed at taking preventive measures to resolve this situation.

At the same time, we also believe that there is a need to deal justly, effectively and without any selectivity with all of the other issues that do, in fact, constitute threats to international peace and security. The civilians concerned continue to look to the Security Council and to wait for the Security Council to help alleviate their suffering.

On the basis of the humanitarian situation and the process of democratic reform in Myanmar and in view of the latest report of the United Nations, the situation there, although difficult, is indeed improving, though improvement is limited. It is being reviewed by the good offices of the Secretary-General, which we totally support. It is also being reviewed by the competent organs of the United Nations. However, we believe that in order for those efforts to be fruitful, carried out correctly and without duplication or starting from

scratch, an organ such as the Security Council should not encroach on the competences of other organs, given that it shoulders tremendous responsibilities in the area of international peace and security. The Council's resources should be directed towards resolving those problems, and it should not create a precedent that could have negative consequences for international relations.

In the light of all those considerations, my delegation cannot support this draft resolution and will abstain in the voting.

The President (*spoke in Russian*): I shall now make a statement in my capacity as representative of the Russian Federation.

Russia has been consistent in opposing consideration of the issue of Myanmar in the Security Council. While we do not deny that Myanmar has been facing certain problems, particularly in the socio-economic and humanitarian areas, we believe that the situation in that country does not pose any threat to international or regional peace. That view is shared by a large number of States, including, most importantly, those neighbouring Myanmar.

The problems in Myanmar that are mentioned in the draft resolution before the Security Council are being considered within the framework of other bodies of the United Nations system, particularly by the General Assembly and its Third Committee, the Human Rights Council, the International Organization for Migration, the World Health Organization and other relevant organs. Duplication of their efforts by the Security Council would be counterproductive and would not facilitate the division of labour between the main bodies of the world Organization which is provided for in the Charter of the United Nations or the development of their constructive cooperation. We deem unacceptable any attempt to use the Security Council to discuss issues outside its purview.

For all those reasons, the Russian delegation will vote against the draft resolution that is before the Security Council.

I now resume my functions as President of the Security Council.

I shall now put to the vote the draft resolution contained in document S/2007/14, as orally revised.

A vote was taken by show of hands.

In favour:

Belgium, France, Ghana, Italy, Panama, Peru, Slovakia, United Kingdom of Great Britain and Northern Ireland, United States of America

Against:

China, Russian Federation, South Africa

Abstaining:

Congo, Indonesia, Qatar

The President (*spoke in Russian*): The result of the voting is as follows: 9 votes in favour, 3 against and 3 abstaining. The draft resolution has not been adopted, owing to the negative votes of permanent members of the Council.

I shall now give the floor to those members of the Council wishing to make statements following the voting.

Mr. Wolff (United States of America): The United States is deeply disappointed by the failure of the Council to adopt this draft resolution. The draft resolution would have been a strong and urgently needed statement by the Security Council about the need for change in Burma, whose military regime arbitrarily arrests, tortures, rapes and executes its own people, wages war on minorities within its own borders and builds itself new cities, while looking the other way as refugee flows increase, narcotics and human trafficking grow and communicable diseases remain untreated.

The deteriorating humanitarian and political situation in Burma affects, first and foremost, the people of Burma. Today the United States reiterates its support for them. However, we also believe that the situation in Burma does pose a risk to peace and security beyond its borders. On Monday, when the Council met with the Secretary-General, delegations here called on the international community — and here I borrow an expression from one of my colleagues — to "grasp the challenge of development, security and democracy and human rights in a holistic manner", and for the Security Council to act in cooperation with the other organs of the United Nations. The draft resolution we just voted on would, in our view, have done just that.

The draft resolution would have contributed to stability in the region by providing its clear support for the Secretary-General's good offices mission, which is intended to provide a framework for constructive dialogue between the United Nations and the Burmese regime leading to concrete progress. Under-Secretary-General Gambari specifically asked this body for our

support. We are disappointed that today we have been unable to respond to his request.

However, while Council members may have disagreed over whether this body should address the situation in Burma, there is no disagreement over the urgent and compelling need for tangible change in Burma. We agree on the importance of the Secretary-General's good offices mission in promoting peaceful change in Burma and on the need for the Burmese regime to take prompt and concrete action on the requests made by Under-Secretary-General Gambari in his two visits to Burma — specifically the initiation of an inclusive national political dialogue representing all parties and ethnic groups, the release of all political prisoners, including Daw Aung San Suu Kyi, the cessation of military violence against ethnic minorities and the loosening of restrictions on the work of international humanitarian organizations in Burma.

We count on all Council members, including those who did not vote in favour of the draft resolution, to use all their influence to press the Burmese regime for change. We must all recommit to supporting the Secretary General's good offices mission and to convince the Burmese leadership to respond in a concrete and positive way to these moderate and achievable goals. If the Burmese leadership chooses to take these steps, it will find the United States and other Council members ready and willing to cooperate.

The problems in Burma cannot be ignored. The United States will continue to work throughout the United Nations system to try to address the deplorable conditions in Burma.

Sir Emyr Jones Parry (United Kingdom): I regret the Council's failure to adopt this draft resolution. My regret is that the draft resolution has been rejected despite what I believed to be an agreement among members of the Council. We share a deep concern over the plight of Burma's people. We know that the lack of political progress, the continued detention of their democratically elected leaders, the attacks on civilians and the restrictions placed on humanitarian organizations have all exacerbated the situation of the people of Burma/Myanmar. We all support the good offices mission of the Secretary-General to promote political change. We want to see a better future for a beleaguered people.

Our disagreement is one of competence. Is this a valid issue for decision by the Security Council? The British Government believes that the situation in Burma/Myanmar represents a threat to regional peace and security and to the security of the Burmese people. We therefore voted for a draft resolution that we believed to be within the responsibilities of the Council. But we do not claim an exclusive Security Council interest. Other organs — the agencies, funds and programmes of the United Nations — all have a key role to play in tackling the problems affecting Burma/Myanmar, be they HIV/AIDS and other infectious diseases, displaced persons and refugees, abject poverty, drugs, vulnerable children and so on.

The United Kingdom wants to see a strengthened relationship between the United Nations family and Burma/Myanmar. That should include working for the implementation of the Millennium Development Goals, which are woefully behind in that country, and a political process to establish democratic institutions, the rule of law and respect for human rights. I hope that this is the signal that is heard in Myanmar, and that there is a positive response from Nay Phi Taw. We urge the Council, for its part, to continue to monitor the situation in Burma/Myanmar, which I note is not an impediment to consideration by any other part of the United Nations family.

Mr. Mantovani (Italy): Italy voted in favour of the draft resolution because it profoundly shares the concerns expressed in the text on the grievances that so deeply affect the people of Myanmar. Those concerns are reflected in the European Union's common position on Myanmar. Italy believes that it is now time to call for accelerated progress in a number of problematic areas.

But let me clearly state our view that in the case of Myanmar, punitive approaches have not yielded satisfactory results and should not be sought by the Council. While we remain convinced that a consensual attitude would have been more effective, Italy strongly calls for increased dialogue in the future to overcome misperceptions and to achieve the goal that we all share, namely the prosperity of Myanmar and of its people.

Mr. Ikouebe (Congo) (*spoke in French*): Last September, my delegation cast a negative vote with regard to the procedural decision that led to the inscription of the situation in Myanmar on the Council's agenda. That position is in line with that of the Non-Aligned Movement and of Myanmar's

neighbouring countries in the context of the Association of Southeast Asian Nations. Those countries believe that the situation in Myanmar does not constitute a threat to international peace and security.

Quite logically, Congo could have voted today against the draft resolution that has just been rejected. That was our intention. However, in the spirit of reconciliation, my delegation preferred to abstain, in the hope that the sponsors of the draft resolution would be able to find other ways to address this problem, which pertains above all to the competency and sovereignty of Member States. In any case, we believe this matter falls under the purview of other United Nations bodies other than the Security Council.

My delegation would therefore encourage the Secretary-General's good offices mission to improve the situation in the country through dialogue. To date, the mission being carried out by Mr. Gambari has helped us to discern real and encouraging prospects. We continue to support those efforts.

Nana Effah-Apenteng (Ghana): As an elected member of the Security Council, Ghana is highly sensitive to the need to respect the jurisdiction and competence of each organ of the United Nations. We recognize that only an orderly and disciplined United Nations can carry out effectively and impartially the mandate entrusted to it by the Charter.

Ghana was mindful of all that when, after careful consideration, we decided to vote in favour of the inscription of the situation in Myanmar on the agenda of the Security Council. Indeed, we are of the view that the maintenance of international peace and security in today's radically changed world necessarily involves addressing complex challenges that are cross-cutting and interrelated. We believe that there is no other route to a peaceful and secure world built on freedom, justice and prosperity for all.

In that regard, we are also convinced that the interests of humankind can best be served by the United Nations when the various organs and subsidiary bodies are more devoted to complementing each others' efforts. We should not overlook the fact that, in recent times, this Council has dealt with many intra-State conflicts. Above all, in their endeavours, the various United Nations organs must never lose sight of the underlying principles and objectives enshrined in the United Nations Charter and the Universal Declaration of Human Rights.

It is for those reasons that Ghana voted in favour of the draft resolution urging the military authorities in Myanmar to cooperate with the Secretary-General's good offices and open up the political space for an inclusive national dialogue among all stakeholders. That is the only way to bring an end to the situation in Myanmar. We hope that the authorities in Myanmar will respond positively to the minimal requirements of peace, as outlined in the rejected draft resolution.

Mr. Verbeke (Belgium) (*spoke in French*): Belgium regrets that the draft resolution submitted to us was not adopted. Belgium feels that the Security Council is legitimately seized of the question of Myanmar.

Belgium's fundamental objective in voting in favour of the draft resolution was to support the Secretary-General's efforts. Indeed, Belgium believes that the draft resolution contained all the elements necessary to supporting his good offices. The draft resolution would, on the one hand, have allowed for a clear presentation to the Burmese Government of the expectations of the Security Council and the international community, especially with respect to the resumption of a political dialogue extending to all political parties; on the other hand, it would have identified practices to be corrected, including the violent repression of minorities, the eradication of forced labour, and the release of political prisoners.

My Government believes that the draft resolution is a necessary appeal to the Government of Myanmar to respond constructively to the Secretary-General's proposals. It is essential that the Secretary-General's good offices and dialogue continue in the interests of the people of Myanmar and of international peace and security.

Mr. Matulay (Slovakia): We are concerned about the deteriorating situation in Myanmar, including the massive violations of human rights, which, if not addressed adequately, might grow into an intra-State conflict with consequences for the entire region.

We reaffirm our call on the Government of Myanmar to keep to its promised road map to democracy, outlined in 2004, leading to a genuine democratic transition and national reconciliation, as well as to take concrete and measurable steps to address other areas of international concern, including human rights abuses, forced relocation and forced labour. We strongly support the efforts of the regional

partners in trying to find ways for Myanmar to respond to the situation, and urge the Government of Myanmar to give its full cooperation to the Association of Southeast Asian Nations.

My delegation therefore voted in favour of the non-punitive draft resolution submitted by the United States and the United Kingdom of Great Britain and Northern Ireland.

Mr. Lacroix (France) (*spoke in French*): France voted in favour of the draft resolution submitted by the United Kingdom and the United States. We regret that the Security Council was not able to adopt it, because we feel that the situation in Burma calls for the international community's serious concern with respect to important aspects of the Security Council's responsibilities.

Conflict persists between the Burmese army and various armed factions, with repercussions beyond the country's borders. Refugees have fled the country, in particular to Thailand, leading to border incidents and facilitating drug production and trafficking from Burma. The Council cannot remain indifferent to the situation of civilians in conflict zones where such serious disturbances are taking place.

The deadlock of the political process in Burma is not sustainable in the long term and can only aggravate the situation. There is a real danger to the stability of the country and, beyond, of the region, which remains fragile. Only a genuine process of national reconciliation involving all parties, in particular the National League for Democracy and representatives of ethnic minorities, can offer the country the democracy, peace and development to which all Burmese aspire. In that context, France regrets in particular the increasing number of obstacles set up to the work of the United Nations and international non-governmental organizations.

With its European Union partners, France will continue closely to follow the situation in Burma, including with regard to human rights. We will also ensure that the provisions of Security Council resolutions relating to the protection of civilians and children in armed conflict are respected.

In conclusion, France reaffirms its full support for the Secretary-General's mission of good offices and pays tribute to the work of Mr. Ibrahim Gambari in that regard. My delegation stresses the importance it attaches to that mission being continued.

Mr. Arias (Panama) (*spoke in Spanish*): When Panama accepted the responsibility of assuming a seat on the Security Council, it did so with a view not to imposing its own national criteria, but to acting on behalf of and for the Members of the Organization in respect to the maintenance of international peace and security.

Given that understanding of its responsibility to the international community, Panama expresses its concern today about the pressure that has been exerted in the Council's decision-making on the matter at hand. We regret to say that we do not have a clear grasp of the factors that led to this situation. We are concerned that the topic on which we have decided today far transcends the situation in Myanmar. The topic we are addressing is the functions and mandate of this Council, and specifically its capacity to act preventively and in conformity with the scope and range of Articles 32, 33 and 34 of the United Nations Charter.

We are all aware of the important changes that have occurred in the international situation since the Charter was adopted. We are discussing — and will discuss in future — threats to international security. We recently had a debate in this Chamber on this very issue. We also have to discuss the functions of the various bodies of the United Nations in the face of these new realities. In particular, we have to discuss the functions of the Security Council, which is its responsibility. I hope that when we have that discussion we will understand that all of these bodies should act as part of a whole and not in a segregated and individual fashion.

With regard to the vote in favour of the draft resolution, Panama would like to go on record that we voted on the understanding that the resolution incorporated the views of the neighbouring countries and of the Non-Aligned Movement, namely, that Myanmar currently is not a threat to international peace and security. We cast our vote on the understanding that this draft resolution did not prevent action by other bodies of the Organization, particularly action by the Human Rights Council — although we would have preferred greater clarity on that particular point. We cast our vote on the understanding that the draft resolution had the intent to give support — and succeeded in so doing — to the good offices of the Secretary-General currently under way with the authorities of Myanmar.

Panama regrets that we have not been able to reach consensus on this item, and we feel that in this we have all failed.

The President (*spoke in Russian*): I now give the floor to the representative of Myanmar.

Mr. Swe (Myanmar): The Security Council should be proud of what transpired today. If there is a justifiable occasion for a permanent member to cast a negative vote, this is certainly the occasion. We are gratified that two permanent members — both of whom know full well the actual situation of my country and one of whom is an immediate neighbour of Myanmar — have chosen to do so. I am most grateful to both the People's Republic of China and the Russian Federation for their strong position of principle. I also greatly appreciate the four elected members who, in the face of tremendous pressure, either voted against or abstained — South Africa, Congo, Indonesia and Qatar.

The Member States of the United Nations have conferred on the Security Council the primary responsibility for maintenance of international peace and security, pursuant to Article 24, paragraph 1, of the Charter of the United Nations. There are many issues that deserve — in fact demand — the immediate and undivided attention of the Security Council. By no stretch of imagination is Myanmar among them.

Myanmar does not pose any threat to international peace and security. In fact, we have been able to contribute to regional stability by bringing to a virtual end the insurgency that has plagued the country for almost five decades. Of 18 major insurgent groups, 17 groups, numbering approximately 100,000, have now returned to the legal fold. The Karen National Union (KNU) is the only major insurgent group fighting the Government. Even to that insurgent group, the Government extends a hand of welcome and has invited them to return to the legal fold. Negotiations are going on right now. We conduct counter-insurgency campaigns only against those KNU insurgents who are engaged in acts of terrorism.

Myanmar has close and cordial relations with all her five neighbours and other countries in the region and beyond. It does not engage in any activity aimed at undermining the peace and security of any country. All this is attested to by Myanmar's neighbours and countries in the region. This position is also strongly held by the 118 members of the Non-Aligned Movement (NAM). The Chairman of the Coordinating Bureau of NAM wrote to the President of the Council in July 2006 that

> "the Non-Aligned Movement stresses once again that the decision by the Security Council to initiate formal or informal discussion on the situation in any Member State of the United Nations or on any issue that does not constitute a threat to international peace and security as contrary to Article 24 of the Charter of the United Nations. The Movement does not consider the situation in Myanmar constitutes a threat to international peace and security, and opposes attempts by a member of the Council to categorize Myanmar as such."

The Movement again wrote to the President of the Security Council on 8 December and reiterated this firm position and added that it was confirmed at the fourteenth Summit of the Non-Aligned Movement recently held in Havana.

The draft resolution, had it been adopted, would have created a dangerous precedent. It would also have clearly exceed the mandate given by the Charter to the Council and would have undermined the Council's authority and legality. We are glad that the Council has chosen not to do that today.

To have adopted the draft resolution would also have been to act on information that is patently false. It portrayed the situation in Myanmar "in particular, HIV/AIDS, avian flu and trafficking in narcotics and people" as transnational threats. That was language was changed later to "international risks". It also claimed that "the overall situation in Myanmar has deteriorated and poses serious risks to peace and security in the region". Nothing could be further from the truth.

According to the UNDP Human Development Report, Myanmar's economy grew at an average of 5.7 per cent over the last 14 years and Myanmar has been elevated from a country with low human development to a country enjoying medium human development. The allegations with regard to HIV/AIDS, avian flu and trafficking in narcotics and people have been proved to be patently untrue by United Nations reports. Moreover, the issues of HIV/AIDS, avian flu and trafficking in narcotics are also global challenges that need to be addressed with the cooperation of the entire international community.

The draft resolution also made allegations of attacks in ethnic majority regions on civilians, including women and children, and in particular the attacks on civilians in Karen State. This is a complete falsehood. The Government has taken the United Nations Country Team and the diplomatic corps, including a representative of the United States Embassy, to these areas. The civilians who were victims of the attacks by the insurgents clearly stated that perpetrators of these attacks were members of the Karen National Union. I also wish to say that we have invited Under-Secretary-General Gambari to go to these areas and see with his own eyes the real situation there.

As part of the national reconciliation process, the Government has been implementing development activities in the border areas, which were previously inaccessible to the Government because of various insurgencies. These are the areas where the ethnic nationalities live. The Government has spent over 65 billions kyats and 550 million dollars for development works for the progress of border areas and ethnic national races. Because of these national reconciliation efforts, the representatives of the 17 former insurgent groups — all of whom belong to the ethnic national groups — have joined the National Convention to draw up the basic principles to be enshrined in the new constitution. Here I wish to say that our National Convention process is inclusive. We have also invited the NLD to join, but at the last minute they declined to do so.

Myanmar is successfully building national unity and at the same time laying a firm foundation for a democratic society. It is both a complex and a delicate process, which is fully understood by our neighbours in the Association of Southeast Asian Nations (ASEAN). The joint communiqué of the 39th ASEAN Ministerial Meeting, of 25 July 2006, clearly stated that ASEAN recognizes that

> "Myanmar needs both time and space to deal with its many and complex challenges. ASEAN hopes that Myanmar's efforts to deal with those challenges will progress so that Myanmar can effectively engage the international community, and in this regard ASEAN would remain constructively engaged."

It is claimed that the draft resolution was aimed at providing strong support for the Secretary-General's good-offices mandate. The truth of the matter is that the draft would not in any way have helped the good-offices mandate that the General Assembly gave the Secretary-General. It must also be noted that the visits to Myanmar of Under-Secretary-General Gambari under the good-offices role of the Secretary-General mandated by the General Assembly are also providing concrete results.

In his November 2006 briefing to the Security Council regarding his visit to Myanmar, Mr. Gambari mentioned a number of key areas where he hoped to see progress — among them "the release of a significant number of political prisoners", including "the five 88 Student Generation activists arrested in September". On 3 January, the Government of Myanmar granted amnesty to 2,831 prisoners. This was welcomed by the Secretary-General in a press statement. On 11 January, the international media gave wide coverage to the release of the five individuals mentioned by Under-Secretary-General Gambari.

I wish to conclude by reiterating our great appreciation to our friends who have chosen to safeguard the sanctity of the Charter by expressing their strong principled position through their votes today. We regard them not only as friends of Myanmar but also as friends of developing countries and friends of multilateralism. I would like to reaffirm that Myanmar will continue on the path that the Government and the people have set for themselves. The National Convention — the first, crucial step of our seven-step road map — is essentially complete. We will resolutely implement the seven-step political road map to its successful completion.

Cooperation with the United Nations is the cornerstone of Myanmar's foreign policy. We are encouraged by today's Security Council decision. We will continue our cooperation with the United Nations.

The President (*spoke in Russian*): There are no further speakers on my list. The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 5.05 p.m.